



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL RESOURCES

Ridley Creek State Park  
Sycamore Mills Road  
Media, PA 19063  
(215) 565-1687

Greg Kolton

April 13, 1987

Mr. Jim Backer  
Ashland Chemical Co./  
Philadelphia Polyester Plant  
Philadelphia, PA 19148

Re: Hazardous Waste Inspection  
April 9, 1987  
PAD980552251  
Philadelphia County

NOTICE OF VIOLATION

Dear Mr. Backer:

This letter is to confirm the findings of the Department's referenced inspection of your hazardous waste activities. Requirements for hazardous waste facilities are contained in Chapters 75.260 through 75.267 of the Rules and Regulations of the Department. Violations of applicable sections of these regulations found during our inspection are as follows:

Approximately six, 55 gallon drums, with accumulation dates of 11/86, exceeding the maximum 90 day storage limit. Such action is contrary to §75.262(g)(1)(i) A generator may accumulate hazardous waste on-site without a permit for 90 days or less, provided that all such waste is shipped off-site or treated or disposed of on-site within 90 days or less.

You are hereby notified of both the existence of these violations as well as the need to provide for their prompt correction. Toward this end, you are to submit to the Department within fourteen (14) days a proposed program and schedule for abatement of these violations. The Department's inspection report contains time periods of completion of remedial actions. These reports are either enclosed or have been previously supplied to you. If your proposed abatement program indicates certain corrections cannot be completed within these time periods, you are requested to supply justification for any extensions.

This letter does not waive, either expressly or by implication, the power or authority of the Commonwealth of Pennsylvania to prosecute for any and all violations of law arising prior to or after the issuance of this letter or the conditions upon which the letter is based. This letter shall not be construed so as to waive or impair any rights of the Department of Environmental Resources, heretofore or hereafter existing.

This letter shall also not be construed as a final action of the Department of Environmental Resources.

If you have any questions concerning this matter, please feel free to contact me at 565-1687.

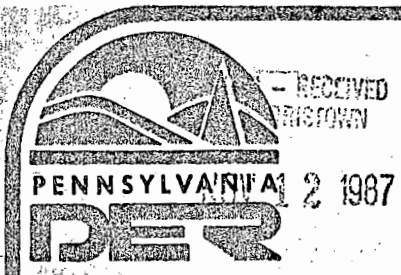
Sincerely,



Mark Bonenberger  
Waste Management Specialist

cc: Rick Shipman  
Greg Koltonuk, EPA Region III ✓  
Regional File  
Ridley File  
Gary Bonner

SEP 10 1987



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL RESOURCES  
1875 New Hope Street  
Norristown, PA 19401  
215 270-1948

September 11, 1987

Ashland Chemical Company  
2801 South Delaware Avenue  
Philadelphia, PA 19148

Attention: John Cushman

Re: Ashland Chemical Company  
PAD 980552251  
Philadelphia County

Dear Sirs:

A hazardous waste inspection of the above referenced facility revealed that hazardous waste had been held in storage for a time period exceeding 90 days. Such storage of hazardous waste without a permit is contrary to 25 PA Code 75.262(g)(1)(i) and (2).

The violations described above constitute unlawful conduct pursuant to Sections 401(a), 403(b)(9), 501(a) and 610(2) & (9) of the Pennsylvania Solid Waste Management Act of July 1980 (Act 97), 35 P.S. 6018.101 et seq.

The Department is responsible for enforcement of the Pennsylvania Solid Waste Management Act, including the recovery of monetary civil penalties for violations of Commonwealth law.

To avoid litigation, the Department is willing to resolve this matter by accepting a monetary civil penalty payment for the specific violations described above. We are proposing a settlement on the following basis:

1. By October 9, 1987, Ashland Chemical Company will pay \$1,500 to the Pennsylvania Solid Waste Abatement Fund by means of a check made payable to the "Commonwealth of Pennsylvania" Solid Waste Abatement Fund."
2. Upon receipt of the above payments and this signed agreement, the Department agrees to forego any further monetary civil penalty enforcement action against Ashland Chemical Company for the specific violations and dates mentioned above.
3. Notwithstanding the above, nothing in this agreement shall be construed to relieve Ashland Chemical Company of any liability for unknown effects of violations described herein which may arise or be discovered in the future.

Ashland Chemical Company  
September 11, 1987

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If our settlement proposal is acceptable, please have all copies of this agreement signed and dated on or before October 9, 1987. Two corporate officers must sign (President or Vice President, and Secretary or Treasurer), and the corporate seal must be affixed to each copy. Please return all copies of this agreement and the required penalty payment(s) to our office at the above letterhead address. We will then execute the agreement on behalf of the Department and return an executed copy to you for your records.

Please be notified that after October 9, 1987, this settlement proposal will become void, and we will pursue other enforcement alternatives.

If you have any questions, please contact me.

Very truly yours,

Wayne L. Lynn  
WAYNE L. LYNN  
Regional Solid Waste Manager

FOR THE DEPARTMENT:

John R. Embick 2/16/88  
John R. Embick Date  
Assistant Counsel  
Approved as to Form and Legality

Wayne L. Lynn 2/22/88  
Wayne L. Lynn Date  
Regional Solid Waste Manager

FOR Ashland Chemical Company :

L. Thomas King 11/4/87  
Signature Date

L. Thomas King  
Name

Vice President / GM  
Title

Thomas F. Davis 11/9/88  
Signature Date

THOMAS F. DAVIS  
Name

ASSISTANT SECRETARY  
Title

Corporate Seal

cc: B. Beitler  
EPA  
Office of Chief Counsel - Eastern Region  
Regional Director

Compliance and Monitoring  
Re 30 (COA)96